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*Attorneys for Plaintiff*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

## CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

V.

SCOTT A. DE LA VEGA, et al.,<sup>1</sup>

## Defendants.

Case No. 2:20-cv-02131-RFB-DJA

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO SERVE  
SUMMONS AND COMPLAINT UPON  
THE UNITED STATES ATTORNEY  
GENERAL  
(First Request)**

Pursuant to Fed. R. Civ. P. 4(i)(4)(A) and (m), Plaintiff Center for Biological Diversity (“Center”) respectfully requests that this Court grant an extension of thirty (30) days of the time

<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Scott A. de la Vega, Acting Secretary of the Interior, is substituted in his official capacity for Defendant David Bernhardt. Similarly, Martha Williams, Senior Advisor to the Secretary, exercising the authority of the Director of the U.S. Fish and Wildlife Service, is substituted in her official capacity for Defendant Aurelia Skipwith.

1 for the Center to deliver a copy of the summons and of the Complaint (ECF No. 1) in this matter  
2 to the Attorney General of the United States at Washington, D.C (“Attorney General”). Pursuant  
3 to Fed. R. Civ. P. 4(m), the 90-day period to serve the Attorney General ran on February 17,  
4 2021. As explained below, although all other Federal Defendants and the U.S. Attorney for the  
5 District of Nevada Nicholas A. Trutanich (“U.S. Attorney Trutanich”) were served within the 90-  
6 day period in accordance with Fed. R. Civ. P. 4(i)(2) and (m), the Attorney General was not. The  
7 Center thus requests that this Court excuse the Center’s neglect in serving the Attorney General  
8 prior to learning of the oversight and extend the time for service upon the Attorney General for  
9 thirty (30) days until March 19, 2021. This is the first motion to extend the time to execute  
10 service upon the Attorney General.

13 Undersigned counsel for the Center contacted counsel for Federal Defendants on  
14 February 19, 2021, who stated on February 22, 2021 that Federal Defendants consent to the  
15 Center’s motion for an extension of time to serve the Attorney General.

16 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR  
17 EXTENSION OF TIME TO SERVE SUMMONS AND COMPLAINT UPON THE  
18 UNITED STATES ATTORNEY GENERAL**

19 **Fed. R. Civ. P. 4(i)(4)(A)**

20 Pursuant to Fed. R. Civ. P. 4(i)(4)(A), the Center requests that this Court provide it with  
21 thirty (30) additional days to serve the Attorney General pursuant to Fed. R. Civ. P. 4(i)(2). Fed.  
22 R. Civ. P. 4(i)(4)(A) states that “[t]he court must allow a party a reasonable time to cure its  
23 failure to: (A) serve a person required to be served under Rule 4(i)(2), if the party has served  
24 either the United States attorney or the Attorney General of the United States....” As set forth  
25 below, the Center timely served the U.S. Attorney Trutanich, along with all other Federal  
26

1 Defendants, within Fed. R. Civ. P. 4(m)'s deadline, and thus must be allowed a reasonable time  
 2 to cure its failure.<sup>2</sup>

3                   The Center filed the Complaint in this matter on November 19, 2020, and concurrently  
 4 lodged summons for the six Federal Defendants who are all United States agencies or officers  
 5 sued in their official capacity: then-U.S. Secretary of the Interior David Bernhardt, in his official  
 6 capacity; then-Director of the U.S. Fish and Wildlife Service Aurelia Skipwith, in her official  
 7 capacity; Glen Knowles, in his official capacity as Field Supervisor of the Southern Nevada Fish  
 8 and Wildlife Office; the U.S. Fish and Wildlife Service; William Dunkelberger, in his official  
 9 capacity as Humboldt-Toiyabe National Forest Supervisor; and the U.S. Forest Service. ECF No.  
 10 1-2 through 1-7. As required by Fed. R. Civ. P. 4(i)(2) and 4(i)(1)(A), the Center also lodged a  
 11 summons for U.S. Attorney Trutanich. ECF No. 1-8. When filing its Complaint, however, the  
 12 Center inadvertently did not lodge a summons for the Attorney General, who must also receive  
 13 service pursuant to Fed. R. Civ. P. 4(i)(2) and (1)(B). *See* Declaration of Sarah Ryan-Knox  
 14 (“Ryan-Knox Decl.”) ¶ 16.

15                   On November 19, 2020, the Court issued the summons for the Federal Defendants.  
 16 ECF No. 4. A summons was not immediately issued for U.S. Attorney Trutanich at that time. A  
 17 summons was later issued for U.S. Attorney Trutanich on December 2, 2020. ECF No. 6.

18                   Federal Defendant William Dunkelberger received a copy of the Complaint, summons,  
 19 and other case initiating documents via certified mail on December 2, 2020. Ryan-Knox Decl. ¶  
 20 11. Federal Defendants David Bernhardt, the U.S. Fish and Wildlife Service, Glen Knowles, and  
 21 Aurelia Skipwith received the documents on December 7, 2020. *Id.* ¶ 12. U.S. Attorney

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 28                   <sup>2</sup> The Center filed its Complaint on November 19, 2020, and thus was required to execute service  
 on all relevant persons within 90 days by February 17, 2020. Fed. R. Civ. P. 4(m).

1 Trutanich also received a copy of the documents on December 7, 2020. *Id.* ¶ 13. The U.S. Forest  
 2 Service received the documents on December 9, 2020. *Id.* ¶ 14. Therefore, service upon each of  
 3 the Federal Defendants and U.S. Attorney Trutanich was made within the 90-day period required  
 4 by Fed. R. Civ. P. 4(m).  
 5

6 On February 1, 2021, Federal Defendants filed their Answer to Plaintiff's Complaint.  
 7 ECF No. 18. Therein, they did not note the Center's delay in serving the summons and  
 8 Complaint upon the Attorney General, and did not raise an affirmative defense regarding  
 9 insufficient service of process, defect or undue delay of service, or resulting prejudice.  
 10

11 On February 18, 2021, while preparing an Affidavit of Proof of Service in accordance  
 12 with Fed. R. Civ. P. 4(l), the undersigned counsel discovered that the Attorney General had not  
 13 yet been served with a copy of the summons and of the Complaint.  
 14

15 To allow time to remedy this oversight, the Center hereby moves for a reasonable  
 16 extension of the time limit for service upon the Attorney General of the United States under Fed.  
 17 R. Civ. P. 4(i)(4)(A) for an additional thirty (30) days, to and including March 19, 2021. Fed. R.  
 18 Civ. P. (i)(4)(A) (requiring the court to "allow a party a reasonable time to cure its failure to: (A)  
 19 serve a person required to be served under Rule 4(i)(2), if the party has served *either* the United  
 20 States attorney *or* the Attorney General of the United States"); *see also Soos v. United States*  
 21 DOJ, No. CV-10-00472-TUC-FRZ, 2012 U.S. Dist. LEXIS 54889, at \*2–3 (D. Ariz. Apr. 19,  
 22 2012) (allowing plaintiff a reasonable amount of time to serve the Attorney General when they  
 23 had timely executed service on the U.S. Attorney); *Carthron-Kelly v. Comm'r of Social Security*,  
 24 No. 5:15-CV-0242, 2017 U.S. Dist. LEXIS 15974, at \*4–8 (N.D.N.Y. Feb. 6, 2017) (same);  
 25 *Boucher v. Potter*, No. 1:04-CV-1541, 2005 U.S. Dist. LEXIS 11781 at \*6 (S.D. Ind. May 18,  
 26 2005) (same).  
 27  
 28

Fed. R. Civ. P. 4(m)

Alternatively, the Center requests that this Court exercise its discretion under Fed. R. Civ. P. 4(m) and grant the Center thirty (30) days to effect service on the Attorney General. Pursuant to Fed. R. Civ. P. 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant *or order that service be made within a specified time.*”

(emphasis added). Moreover, this Court has “broad discretion” to order that service be made within a specified time, even absent a showing of good cause. *Oyama v. Sheehan (In re Sheehan)*, 253 F.3d 507, 513 (9th Cir. 2001). The time for service may also be extended retroactively after the service period has expired. *United States v. 2,164 Watches*, 366 F.3d 767, 772 (9th Cir. 2004) (citing *Mann v. American Airlines*, 324 F.3d 1088, 1090 (9th Cir. 2003)).

The Center requests that the Court exercise its discretion in this case given the constraints of remote work due to COVID-19, the intervening holidays, the lack of prejudice to Federal Defendants, and counsel for the Center’s efforts to correct this error immediately after learning of it and bring it the attention of the Federal Defendants and the Court. An extension in this case would also be in the interests of judicial efficiency and all parties because dismissal would require the Center to refile its Complaint, effect service on all required persons, require the Federal Defendants to refile their Answer, and require proposed Defendant-Intervenors to refile their motion to intervene. *See United States v. 2,164 Watches*, 366 F.3d at 772 (“If the court declines to extend the time for service of process, the court shall dismiss the suit without prejudice; it shall not enter judgment in the case.”). Such a dismissal would not be in the interest of justice or judicial efficiency.

## Excusable Neglect

The Center further requests that the Court grant the Center's request for an extension due to the excusable neglect of the Center's counsel. Pursuant to LR IA 6-1, “[a] request made after the expiration of the specified period will not be granted unless the movant or attorney demonstrates that the failure to file the motion before the deadline expired was the result of excusable neglect.” The determination of whether the Center's neglect in serving the Attorney General in this case is excusable, “is at bottom an equitable one, taking account of all relevant circumstances surrounding the party's omission.” *Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 395 (1993). When determining if excusable neglect exists, courts look to “(1) the danger of prejudice to the nonmoving party; (2) the length of delay and its potential impact on judicial proceedings; (3) the reason for the delay, including whether it was in the moving party's reasonable control; and (4) if the moving party's conduct was in good faith.” *Lewis v. Casa Di Amore LLC*, No. 2:15-cv-01368-RFB-PAL, 2019 U.S. Dist. LEXIS 103996, at \*8 (D. Nev. June 20, 2019) (Boulware, II, J.) (citing *Los Altos El Granada Inv'rs v. City of Capitola*, 583 F.3d 674, 683 (9th Cir. 2009); *Pioneer Inv. Servs. Co. and Pincay v. Andrews*, 389 F.3d 853, 855 (9th Cir. 2004) (en banc)). By allowing for the extension of deadlines in cases of excusable neglect, the court may “accept late filings caused by inadvertence, mistake, or carelessness....” *Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. at 388.

Here, there is no danger of prejudice to the Federal Defendants. As demonstrated by the filing of their Answer, Federal Defendants have received constructive and actual notice of this suit. Furthermore, service has been completed on all other Federal Defendants and U.S. Attorney Trutanich. Ryan-Knox Decl. ¶¶ 11–15. Allowing the Center to correct its failure to serve the Attorney General will also not delay or impact these proceedings. Indeed, as noted above, if this

1 case were dismissed due to the Center's inadvertent failure, the Center would have to refile the  
2 case resulting in lengthy delay for all the parties involved. Additionally, Center's counsel's  
3 failure to recognize the failure to serve the Attorney General is due in part to the constraints of  
4 remote work due to COVID-19 and the intervening holidays.<sup>3</sup> Finally, the Center sought to  
5 comply with the requirements of Fed. R. Civ. P. 4(i)(2) in good faith as evidenced by its  
6 execution of service on all other Federal Defendants and U.S. Attorney Trutanich. In its good-  
7 faith effort to correct its neglect, the Center's counsel, not Federal Defendants, brought its error  
8 to the Court's attention. The Center thus requests that this Court find its failure to serve the  
9 Attorney General within the timeframe set by Fed. R. Civ. P. 4(m) excusable.  
10  
11

### Conclusion

12 The Center regrets its failure to effect service on all required persons and the  
13 inconvenience to the Court and parties. For the foregoing reasons, the Center requests that it be  
14 provided an extension of 30 days from February 17, 2021 (the time limit of service otherwise  
15 imposed by Fed. R. Civ. P. 4(m)) to March 19, 2021, to send a copy of the summons and  
16 complaint to the Attorney General of the United States at Washington, D.C.  
17  
18

19  
20 Dated: February 22, 2021

21 Respectfully submitted,

22 s/ Ryan Adair Shannon  
23 Ryan Adair Shannon  
24 *Pro Hac Vice*  
25 Center for Biological Diversity  
26 P.O. Box 11374  
27 Portland, OR 97211  
28 Telephone: (503) 283-5474

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27 <sup>3</sup> The undersigned counsel, however, recognizes his failure to notice the mistake within the  
28 deadline set forth by Fed. R. Civ. P. 4(m) and will endeavor to ensure that such a mistake does  
not happen again in these proceedings.

1 E-mail: rshannon@biologicaldiversity.org

2 *Attorney for the Center for Biological Diversity*

3

4 **ORDER**

5 IT IS SO ORDERED. Plaintiff shall have until March 19, 2021 within which to serve the  
6 Summons and Complaint on Defendant Attorney General.

7 DATED: February 23, 2021

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9  
10 DANIEL J. ALBREGTS  
11 UNITED STATES MAGISTRATE JUDGE  
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## **CERTIFICATE OF SERVICE**

I hereby certify that today I electronically filed the foregoing Motion for Extension of Time to Serve Summons and Complaint Upon the United States Attorney General with the Clerk of the Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

Dated: February 22, 2021

/s/ Ryan Adair Shannon  
Ryan Adair Shannon

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

## CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

V.

SCOTT A. DE LA VEGA, et al.,

## Defendants.

Case No. 2:20-cv-02131-RFB-DJA

## **DECLARATION OF SARAH RYAN-KNOX**

I, Sarah Ryan-Knox, declare as follows:

1. My name is Sarah Ryan-Knox, and I reside in Portland, Oregon. The facts stated herein are personally known to me and, if called as a witness, I would competently testify thereto.

2. I am a paralegal with Plaintiff, the Center for Biological Diversity ("the Center").

I have worked in this capacity for one year and four months.

3 I hold an associate degree in paralegal studies from Portland Community College.

4. I offer this declaration in support of the Center's motion. I assisted the Center in organizing tracking information of service packets to Federal Defendants.

5. My work for this matter is directed by the Center's attorney, Ryan Adair Shannon, who was admitted to practice *pro hac vice* on December 2, 2020. ECF No. 07.

6. Plaintiff's local counsel, at the Center's direction, filed the Complaint (ECF No. 01) in this matter on November 19, 2020 and concurrently lodged summons for the six Federal Defendants: David Bernhardt, William Dunkelberger, the U.S. Forest Service, the U.S. Fish and Wildlife Service, Glen Knowles, and Aurelia Skipwith. ECF 01-01 – ECF-07. As required under

1 Fed. R. Civ. P. 4(i)(1)(A), the Center's local counsel also lodged a summons for the U.S.  
2 Attorney for the District of Nevada, Nicholas A. Trutanich ("U.S. Attorney"). ECF 01-08.  
3

4 7. On November 19, 2020, the Court issued the summons for Federal Defendants  
5 Bernhardt, Dunkelberger, U.S. Forest Service, U.S. Fish and Wildlife Service, Knowles, and  
6 Skipwith. ECF 04.

7 8. A summons was not immediately issued for U.S. Attorney Trutanich at that time.  
8 A summons was issued to U.S. Attorney Trutanich on December 2, 2020. ECF 06.

9 9. On December 1, 2020, Scott Lake, an employee of the Center, mailed from Reno,  
10 Nevada a copy of the Complaint, summons, and other case initiating documents by certified  
11 mail, with return receipt requested, to Federal Defendants: U.S. Forest Service, William  
12 Dunkelberger, U.S. Fish and Wildlife Service, Glen Knowles, Aurelia Skipwith, and David  
13 Bernhardt.

14 10. On December 3, 2020, Scott Lake mailed from Reno, Nevada a copy of the  
15 Complaint, summons, and other case initiating documents by certified mail, with return receipt  
16 requested, to U.S. Attorney Nicholas Trutanich.

17 11. Federal Defendant William Dunkelberger received a copy of the complaint,  
18 summons, and other case initiating documents via certified mail on December 2, 2020.

19 12. Federal Defendants David Bernhardt, the U.S. Fish and Wildlife Service, Glen  
20 Knowles, and Aurelia Skipwith received the documents on December 7, 2020.

21 13. U.S. Attorney Trutanich received a copy of the documents on December 7, 2020.

22 14. The U.S. Forest Service received the documents on December 9, 2020.

23 15. Receipts and delivery confirmation verifying this information are attached  
24 hereto, with the exception of delivery confirmation to Glen Knowles due to a failure in the  
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1 United States Post Office's tracking system. However, counsel for Federal Defendant Glen  
2 Knowles confirmed that he received service on December 7, 2020 and gave the Center  
3 permission to attest as such.

4 16. On February 18, 2021, while preparing an Affidavit of Proof of Service in  
5 accordance with Fed. R. Civ. P. 4(m), Mr. Shannon discovered that the U.S. Attorney General  
6 had not yet been served a copy of the summons and of the Complaint, as required under Fed. R.  
7 Civ. P. 4(i)(2).

8 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true  
9 and correct.

10 11 Executed this 19<sup>th</sup> day of February, 2021  
12  
13

14 s/ Sarah Ryan-Knox  
15 Sarah Ryan-Knox  
16 Center for Biological Diversity  
17 P.O. Box 11374  
18 Portland, OR 97211  
Telephone: (503) 209-3768  
E-mail: sryanknox@biologicaldiversity.org

19 Paralegal for the Center for Biological Diversity  
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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Nicholas A. Trutanich  
c/o Civil Process Clerk  
501 Las Vegas Blvd. South, Ste. 1100  
Las Vegas, NV 89101



9590 9402 6094 0125 6150 41

## 2. Article Number (Transfer from service label)

18 1830 0001 8801 5368

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X K. Umfleet

Agent  
 Addressee

## B. Received by (Printed Name)

GT 175 C19

## C. Date of Delivery

12-7-20

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 3. Service Type

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

William Dunkelberger  
Humboldt-Toiyabe National Forest  
1200 Franklin Way  
Sparks, NV 89425



9590 9402 4718 8344 5167 28

## 2. Article Number (Transfer from service label)

2019 2970 0001 1036 5502

PS Form 3811, July 2015 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X COVID-19

Agent  
 Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 3. Service Type

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

US Fish and Wildlife Serv.  
1849 C Street, NW  
Washington, DC 20240



9590 9402 4718 8344 5167 35

## 2. Article Number (Transfer from service label)

19 2970 0001 1036 5519

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X Cr

Agent  
 Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

12/7

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 3. Service Type

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

-IRFB-DJA Document 20-1 Filed 02/22/21 Page 15 of 20

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

US Forest Service  
1400 Independence Ave. SW  
Washington, DC 20250



9590 9402 4718 8344 5167 11

**2. Article Number (Transfer from service label)**

2019 2970 0001 1036 5496

PS Form 3811, July 2015 PSN 7530-02-000-9053

DEO 09 2020

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

X *William Lee*  
B. Received by (Printed Name)  
*William Lee*

 Agent Addressee**C. Date of Delivery**

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

*Forwarded to NFS***3. Service Type**

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Aurelia Stepwith, Director  
US Fish and Wildlife Service  
1849 C Street NW  
Washington DC 20240



9590 9402 4718 8344 5167 59

**2. Article Number (Transfer from service label)**

2019 2970 0001 1036 5533

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

X *Car*  
B. Received by (Printed Name)  
*Car*

 Agent Addressee**C. Date of Delivery**

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

Tracking Number: 70192970000110365540

## Status

 Delivered

December 7, 2020 at 7:33 am  
 Delivered, Left with Individual  
 WASHINGTON, DC 20240

Get Updates ▾

Delivered

## Text &amp; Email Updates



## Tracking History



## December 7, 2020, 7:33 am

Delivered, Left with Individual  
 WASHINGTON, DC 20240

Your item was delivered to an individual at the address at 7:33 am on December 7, 2020 in WASHINGTON, DC 20240.

## December 8, 2020, 10:52 am

Available for Pickup  
 WASHINGTON, DC 20240

## December 8, 2020, 7:24 am

Arrived at Hub  
 WASHINGTON, DC 20018

## December 6, 2020

In Transit to Next Facility

## December 1, 2020, 10:32 pm

Arrived at USPS Regional Origin Facility  
 RENO NV DISTRIBUTION CENTER

## December 1, 2020, 4:55 pm

USPS In possession of item  
 RENO, NV 89511

## Product Information



Postal Product:  
 First-Class Mail®

Features:  
 Certified Mail™

See tracking for related item: 9590940247188344516766

Your item was delivered to an individual at the address at 10:55 am on December 2, 2020 in SPARKS, NV 89431.

### Status

#### Delivered

December 2, 2020 at 10:55 am  
Delivered, Left with Individual  
SPARKS, NV 89431

[Get Updates](#) 

 Delivered

### [Text & Email Updates](#)

### [Tracking History](#)

#### December 2, 2020, 10:55 am

Delivered, Left with Individual  
SPARKS, NV 89431

Your item was delivered to an individual at the address at 10:55 am on December 2, 2020 in SPARKS, NV 89431.

#### December 2, 2020, 1:23 am

Departed USPS Regional Facility  
RENO NV DISTRIBUTION CENTER

#### December 1, 2020, 10:32 pm

Arrived at USPS Regional Facility  
RENO NV DISTRIBUTION CENTER

#### December 1, 2020, 4:49 pm

USPS in possession of item  
RENO, NV 89511

### [Product Information](#)

Postal Product:  
First-Class Mail®

Features:  
Certified Mail™

See tracking for related item: 9590940247188344516728

## Status

Your item was delivered to an individual at the address at 7:33 am on December 7, 2020 in WASHINGTON, DC 20240.

 Delivered

December 7, 2020 at 7:33 am  
Delivered, Left with Individual  
WASHINGTON, DC 20240

[Get Updates](#) 

Delivered

**Text & Email Updates** 

**Tracking History** 

**December 7, 2020, 7:33 am**

Delivered, Left with Individual  
WASHINGTON, DC 20240

Your item was delivered to an individual at the address at 7:33 am on December 7, 2020 in WASHINGTON, DC 20240.

**December 6, 2020, 10:52 am**

Available for Pickup  
WASHINGTON, DC 20240

**December 6, 2020, 7:24 am**

Arrived at Hub  
WASHINGTON, DC 20018

**December 5, 2020**

In Transit to Next Facility

**December 3, 2020, 12:29 am**

Departed USPS Regional Origin Facility  
LAS VEGAS NV DISTRIBUTION CENTER

**December 2, 2020, 3:43 pm**

Arrived at USPS Regional Origin Facility  
LAS VEGAS NV DISTRIBUTION CENTER

**December 1, 2020, 4:51 pm**

USPS in possession of item  
RENO, NV 89511

**Product Information** 

Postal Product:  
First-Class Mail®

Features:  
Certified Mail™

See tracking for related item: 9590940247188344516735

Tracking Number: 70192970000110365533

## Status

 Delivered

Your item was delivered to an individual at the address at 7:33 am on December 7, 2020 in WASHINGTON, DC 20240.

December 7, 2020 at 7:33 am  
Delivered, Left with individual  
WASHINGTON, DC 20240

Get Updates 

Delivered

Text & Email Updates Tracking History 

## December 7, 2020, 7:33 am

Delivered, Left with individual  
WASHINGTON, DC 20240

Your item was delivered to an individual at the address at 7:33 am on December 7, 2020 in WASHINGTON, DC 20240.

## December 6, 2020, 10:52 am

Available for Pickup  
WASHINGTON, DC 20240

## December 6, 2020, 7:24 am

Arrived at Hub  
WASHINGTON, DC 20018

## December 5, 2020

In Transit to Next Facility

## December 1, 2020, 10:32 pm

Arrived at USPS Regional Origin Facility  
RENO NV DISTRIBUTION CENTER

## December 1, 2020, 4:53 pm

USPS In possession of item  
RENO, NV 89511

Product Information 

Postal Product:  
First-Class Mail®

Features:  
Certified Mail™

See tracking for related item: 9590940247188344516759

## Status

Your item was delivered to an individual at the address at 12:33 pm on December 7, 2020 in LAS VEGAS, NV 89101.

### Delivered

December 7, 2020 at 12:33 pm  
Delivered, Left with Individual  
LAS VEGAS, NV 89101

[Get Updates](#) 

Delivered

## Text & Email Updates



## Tracking History



### December 7, 2020, 12:33 pm

Delivered, Left with Individual  
LAS VEGAS, NV 89101

Your item was delivered to an individual at the address at 12:33 pm on December 7, 2020 in LAS VEGAS, NV 89101.

### December 6, 2020

In Transit to Next Facility

### December 6, 2020, 7:44 pm

Departed USPS Regional Facility  
LAS VEGAS NV DISTRIBUTION CENTER

### December 6, 2020, 12:13 am

Arrived at USPS Regional Facility  
LAS VEGAS NV DISTRIBUTION CENTER

### December 3, 2020, 8:56 pm

Arrived at USPS Regional Facility  
RENO NV DISTRIBUTION CENTER

### December 3, 2020, 2:56 pm

Departed Post Office  
RENO, NV 89503

### December 3, 2020, 1:17 pm

USPS In possession of item  
RENO, NV 89503

## Product Information



Postal Product:  
First-Class Mail®

Features:  
Certified Mail™

See tracking for related item: 9590940280940125615041

UNITED STATES DISTRICT COURT

for the

District of Nevada

Center for Biological Diversity

)

)

)

)

*Plaintiff(s)*

)

v.

Civil Action No. 2:20-cv-02131-RFB-DJA

Scott A. de la Vega, et al.

)

)

)

)

*Defendant(s)*

)

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Ryan Adair Shannon

Center for Biological Diversity  
225 N. Killingsworth St.  
Portland, OR 97211

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:20-cv-02131-RFB-DJA

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc:

**Print****Save As...****Reset**